## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA Roanoke Division

MOUNTAIN VALLEY PIPELINE, LLC,	)
Plaintiff,	)
V.	) CASE NO.: 7:19cv679
4.31 ACRES OF LAND, OWNED BY JAMES T.	)
CHANDLER AND KATHY E. CHANDLER, ET AL.,	)
	)
Defendants.	)

## <u>DEFENDANTS' MOTION IN LIMINE TO</u> EXCLUDE CERTAIN EVIDENCE AND TESTIMONY

COME NOW the Defendants, James T. Chandler and Kathy E. Chandler, by counsel and pursuant to the Scheduling Order entered by the Court in this matter (ECF No. 1), and move this Honorable Court, *in limine*, to exclude from trial any evidence and testimony relating to certain disciplinary proceedings against the Defendants' expert real estate appraiser, Dennis W. Gruelle, MAI, SRA, and in support thereof state as follows:

- This is an eminent domain action, in which the trial is scheduled for September 21
   23, 2020 before a jury.
- 2. Any evidence relating to disciplinary proceedings involving Mr. Gruelle, which were resolved without the admission of any violations, is irrelevant, unfairly prejudicial, and should be excluded from trial so as not to cause further confusion.

WHEREFORE, for the reasons set forth more fully in their accompanying Memorandum, the Defendants respectfully pray that this Court enter an Order excluding any evidence or testimony relating to disciplinary proceedings involving Mr. Gruelle, and for such other relief as justice may require.

Respectfully submitted,

## JAMES T. CHANDLER KATHY E. CHANDLER

/s/

Stephen J. Clarke (VA Bar #: 72835) Blake A. Willis (VA Bar # 93854) WALDO & LYLE, P.C. 301 West Freemason Street Norfolk, VA 23510

Telephone: (757) 622-5812 Facsimile: (757) 622-5815 sjc@waldoandlyle.com baw@waldoandlyle.com

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that true and exact copies of the foregoing Defendants' Motion *in Limine* to Exclude Certain Evidence and Testimony were served on this 14<sup>th</sup> day of July, 2020, via the CM/ECF system, which will send electronic notice to the following:

Wade W. Massie, Esquire Seth M. Land, Esquire PENN, STUART & ESKRIDGE P. O. Box 2288 Abingdon, VA 24212

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Stephen J. Clarke (VA Bar #: 72835) Blake A. Willis (VA Bar #: 93854) WALDO & LYLE, P.C. 301 West Freemason Street Norfolk, VA 23510

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